

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Mike LEVANDUSKI
Serial No.: 10/026,420
Filed: December 18, 2001
For: **PRURIPOTENT STEM CELLS DERIVED
WITHOUT THE USE OF EMBRYOS OR FETAL
TISSUES**

Group Art Unit: 1636
Confirmation No.: 2519

**BOX: Office of Initial Patent Examination's
Customer Service Center**

Assistant Commissioner for Patents
Washington, D.C. 20231

March 20, 2002

**REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

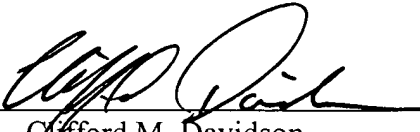
In reply to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed March 01, 2002, Applicant respectfully submits that the application identified above is not an application containing nucleotide or amino acid sequence disclosures. Accordingly, Applicant submits that the application is in compliance with any requirements respecting sequence listings and respectfully requests that this Notice to Comply be withdrawn.

A Reply to this Notice is due two months from the date of mailing. Therefore, this Reply is timely filed and no fees are believed to be due at this time in connection

with this notice. However, if any fees are determined to be due at this time, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Clifford M. Davidson
Reg. No.: 32,728

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

In re application of: Mike LEVANDUSKI
Serial No.: 10/026,420
Filed: December 18, 2001
For: PLURIPOTENT STEM CELLS DERIVED WITHOUT THE USE OF EMBRYOS OR FETAL TISSUES



Docket No.: 326.1001

Date: March 20, 2002

Receipt

Sir:

Transmitted herewith is a **Request for Corrected Filing Receipt** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

| | (Col. 1) | (Col. 2) | | SMALL ENTITY | | | LARGE ENTITY | |
|---|------------|------------|---------|--------------|-----|----|--------------|-----|
| FOR: | REMAINING | HIGHEST | | RATE | FEE | OR | RATE | FEE |
| | AFTER | PREVIOUSLY | PRESENT | | | | | |
| | AMENDMENT | PAID FOR | EXTRA | | | | | |
| TOTAL CLAIMS | * Minus** | = | 0 | x \$ 9 | \$ | | x \$ 18 | \$ |
| INDEP. CLAIMS | * Minus*** | = | 0 | x \$ 42 | \$ | | x \$ 84 | \$ |
| [] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$140 | \$ | | + \$280 | \$ |

TOTAL: \$ OR TOTAL: \$

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

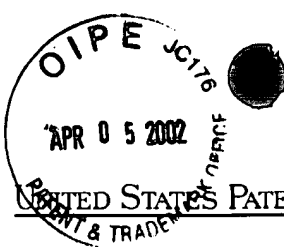
- ☒ Also transmitted herewith are:
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)
☒ Other: **Copy of USPTO Filing Receipt Marked in Red; Reply to Notice to Comply with Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; Copy of USPTO Notice to Comply with Requirement for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures**
- ☐ Check(s) in the amount of **\$0.00** is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition fee for extension under 37 C.F.R. 1.136
☐ Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


 Clifford M. Davidson, Reg. No. 32,728
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on March 20, 2002.

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/026,420 | 12/19/2001 | Mike LevanduskI | 326.1001 |

CONFIRMATION NO. 2519

FORMALITIES LETTER



OC000000007561330

DAVIDSON, DAVIDSON & KAPPEL, LLC
14th Floor
485 Seventh Avenue
New York, NY 10018

Date Mailed: 03/01/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- o This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- ▣ For Rules Interpretation, call (703) 308-4216
- ▣ To Purchase PatentIn Software, call (703) 306-2600
- ▣ For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Exhibit A



UNITED STATES POSTAL SERVICE®

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EL 825523504 US

ORIGIN (POSTAL USE ONLY)

| | | |
|--|---|--|
| PO ZIP Code 10010 | Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In 12/18/01 | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 16.25 |
| Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials [Signature] | Total Postage & Fees \$ 16.25 |

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| | | |
|---|---|--------------------|
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| Delivery Date | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. | | |
| NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature | | |

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Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

DAVIDSON DAVIDSON & KAPPEL LLC
485 7TH AVE FL 14
NEW YORK NY 10018-6804

RE: 326,1001

TO: (PLEASE PRINT)

PHONE ()

ASSISTANT COMMISSIONER FOR Patents

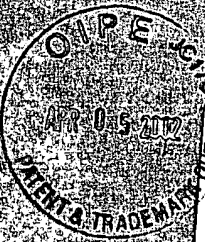
P.O. BOX 2327
Arlington, VA 22202

BOX: PATENT APPLICATION

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



Finance Copy
Label 11-F August 2000



December 18, 2001

Our Ref. 326.1001

December 18, 2001

RJP:DF:bef

RE:

Patent Application of:
Mike LEVANDUSKI
To be assigned
Herewith

Serial No.:

Filed:

For

PLURIPOTENT STEM CELLS DERIVED WITHOUT
THE USE OF EMBRYOS OR FETAL TISSUES

Enclosed are:

- New Patent Application Transmittal (4 pages);
- Patent Application consisting of Specification, 76 Claims & Abstract (81 pages);
- Three (3) Sheets of Drawings;
- Executed Declaration/Power of Attorney (1 page);
- Certificate of Mailing by Express Mail (1 page); and
- Check in the amount of \$1,084.00

WITH EXPRESS MAIL LABEL NO. EL 825523504 US

BOX: PATENT APPLICATION

RECEIVED BY:

CHECKED BY:

EL825523504US

Exhibit B

